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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/820,496 03/19/97 WILHELM

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MM91/0508

EXAMINER

FLEMING, F

ART UNIT

PAPER NUMBER

2836

DATE MAILED: 05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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**Office Action Summary**

Application No.

08/820,496

Applicant(s)

WILHELM, WILLIAM GEORGE

Examiner

Fritz M. Fleming

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 49-56, 89 and 90 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 49-56, 89 and 90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 12 February 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

FRITZ FLEMING  
PRIMARY EXAMINER  
GROUP 2100

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 49-56,89,90 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has removed mention of "universal" in claim 49 but retained it in all depending claims. Thus the claims are not internally consistent and hence vague and indefinite. Furthermore, the "such as" of claim 49 is vague and indefinite as it is unclear if such is exemplary or required. The "its" of "at its output" is unclear in antecedent basis as it is unclear if the output of the "external DC" or the overall system. Furthermore, the terms "external DC" and "external alternative DC" are unclear if they are to refer to the same thing. The preamble indicates a "sharing of AC and DC" but the rest of the preamble and the body do not require that AC and DC actually be shared. Thus the scope of the claim is unclear. The preamble refers to the "external DC" being "in service" which is not clear in meaning. The body of the claim then goes on to recite "in service" and "end use service power" and "in readiness for service" and "in service" making it unclear exactly what the status of the various supply(ies) is (Are) per the claim limitations. The body refers to "external alternative" and then "said external" making it unclear as to which is being further limited as the same "external" appears in the preamble. The number of secondary power connections is not

consistent as "at least one" and "said" are not the same number. The "said voltage regulated DC voltage in service" is unclear in meaning. Claim 55 lacks clear antecedent basis the power sources themselves as claim 50 merely sets forth connections and not the sources connected thereto. The same applies to claim 56. Claims 89 and 90 are not clear in the overall number and connection of supplies as these claims seem to further indicate that the primary source includes the secondary, making it unclear how many "secondary" sources there are. The claims need to be reviewed and corrected to ensure requisite clarity and precision.

Due to the above, the art is applied as best as the claims can be understood.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 49-56, 89, 90 are rejected under 35 U.S.C. 102(b) as being anticipated by any one of Mototani et al. or Morita or Nichol or Epstein or Smith or Fahey or Durand et al. or Hutchinson.

This rejection is made as best as the claims can be understood.

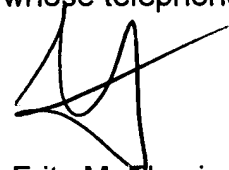
### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz M. Fleming whose telephone number is 703.308.1483. The examiner can normally be reached on Tu-F 0530-1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Josie Ballato can be reached on 703.308.0269. The fax phone numbers for the organization where this application or proceeding is assigned are 703.308.7722 for regular communications and 703.308.7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1782.



Fritz M. Fleming  
Primary Patent Examiner  
Art Unit 2836

ff  
May 7, 2001